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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/557,738	04/25/2000	KEVIN B. GJERSTAD	1018.097US1	9935

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EXAMINER

SMITH, PETER J

ART UNIT PAPER NUMBER

2176

DATE MAILED: 03/01/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

**Advisory Action
Before the Filing of an Appeal Brief**

Application No.

09/557,738

Applicant(s)

GJERSTAD ET AL.

Examiner

Peter J. Smith

Art Unit

2176

--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

THE REPLY FILED 10 February 2006 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE.

1. ☒ The reply was filed after a final rejection, but prior to or on the same day as filing a Notice of Appeal. To avoid abandonment of this application, applicant must timely file one of the following replies: (1) an amendment, affidavit, or other evidence, which places the application in condition for allowance; (2) a Notice of Appeal (with appeal fee) in compliance with 37 CFR 41.31; or (3) a Request for Continued Examination (RCE) in compliance with 37 CFR 1.114. The reply must be filed within one of the following time periods:

- a) ☐ The period for reply expires _____ months from the mailing date of the final rejection.
b) ☒ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection.

Examiner Note: If box 1 is checked, check either box (a) or (b). ONLY CHECK BOX (b) WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

NOTICE OF APPEAL

2. ☐ The Notice of Appeal was filed on _____. A brief in compliance with 37 CFR 41.37 must be filed within two months of the date of filing the Notice of Appeal (37 CFR 41.37(a)), or any extension thereof (37 CFR 41.37(e)), to avoid dismissal of the appeal. Since a Notice of Appeal has been filed, any reply must be filed within the time period set forth in 37 CFR 41.37(a).

AMENDMENTS

3. ☒ The proposed amendment(s) filed after a final rejection, but prior to the date of filing a brief, will not be entered because
(a) ☒ They raise new issues that would require further consideration and/or search (see NOTE below);
(b) ☐ They raise the issue of new matter (see NOTE below);
(c) ☒ They are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or
(d) ☒ They present additional claims without canceling a corresponding number of finally rejected claims.

NOTE: See Continuation Sheet. (See 37 CFR 1.116 and 41.33(a)).

4. ☐ The amendments are not in compliance with 37 CFR 1.121. See attached Notice of Non-Compliant Amendment (PTOL-324).
5. ☐ Applicant's reply has overcome the following rejection(s): _____.
6. ☐ Newly proposed or amended claim(s) _____ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).
7. ☒ For purposes of appeal, the proposed amendment(s): a) ☒ will not be entered, or b) ☐ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.
The status of the claim(s) is (or will be) as follows:
Claim(s) allowed: _____.
Claim(s) objected to: _____.
Claim(s) rejected: 1-5 and 20-26.
Claim(s) withdrawn from consideration: _____.

AFFIDAVIT OR OTHER EVIDENCE

8. ☐ The affidavit or other evidence filed after a final action, but before or on the date of filing a Notice of Appeal will not be entered because applicant failed to provide a showing of good and sufficient reasons why the affidavit or other evidence is necessary and was not earlier presented. See 37 CFR 1.116(e).
9. ☐ The affidavit or other evidence filed after the date of filing a Notice of Appeal, but prior to the date of filing a brief, will not be entered because the affidavit or other evidence failed to overcome all rejections under appeal and/or appellant fails to provide a showing of good and sufficient reasons why it is necessary and was not earlier presented. See 37 CFR 41.33(d)(1).
10. ☐ The affidavit or other evidence is entered. An explanation of the status of the claims after entry is below or attached.

REQUEST FOR RECONSIDERATION/OTHER

11. ☒ The request for reconsideration has been considered but does NOT place the application in condition for allowance because: See Continuation Sheet.
12. ☐ Note the attached Information Disclosure Statement(s). (PTO/SB/08 or PTO-1449) Paper No(s). _____.
13. ☐ Other: _____.


Doug Hutton
Primary Examiner
Tech Center 2100

Continuation of 3. NOTE: Newly added dependent claim 27 requires further consideration and possible further search by the Examiner. The scope of the property is altered by the limitation of dependent claim 27.

Continuation of 11. does NOT place the application in condition for allowance because: Regarding Applicant's argument that Saunders, Maslov, and Froessl do not teach or suggest "attaching a property to the document in at least one position in the document, wherein the property preserves originally entered data," (see response page 6 paragraph to page 8 paragraph 1) as defined in claims 1-5, the Examiner respectfully disagrees. The preservation of original data taught by Froessl suggests to one of ordinary skill in the art at the time of the invention to have improved property taught by Saunders to have preserved access to the original data. Saunders teaches in col. 6 line 39 - col. 7 line 17 that the reservation identifier is maintained as long as access to the range of text is reserved. With Froessl teaching maintaining original data in col. 7 line 63 - col. 8 line 5, the Examiner believes this motivates one of ordinary skill in the art to have maintained the reservation identifier for a specified range of text for preserving access to the original data when considering the combination of teachings of the references. Therefore, the Examiner maintains that the combination of Saunders, Maslov, and Froessl is valid and teaches or suggests all the limitations of claims 1-5.

Regarding Applicant's argument that there is motivation to combine Saunders, Maslov, and Froessl, (see response page 8 paragraph 2), the Examiner respectfully disagrees. All three references are directed to electronic document manipulation. Therefore, one of ordinary skill in the art at the time of the invention would have known related advantages of the prior art teachings of Saunders, Maslov, and Froessl.

Regarding Applicant's argument that Saunders, Maslov, and Froessl do not teach or suggest "attaching a property in a document at range specified in the range object, the property providing access to original raw data," (see response page 8 paragraph 5 to page 9 paragraph 1) as defined in claims 20-26, the Examiner respectfully disagrees. The preservation of original data taught by Froessl suggests to one of ordinary skill in the art at the time of the invention to have improved property taught by Saunders to have preserved access to the original data. Saunders teaches in col. 6 line 39 - col. 7 line 17 that the reservation identifier is maintained as long as access to the range of text is reserved. With Froessl teaching maintaining original data in col. 7 line 63 - col. 8 line 5, the Examiner believes this motivates one of ordinary skill in the art to have maintained the reservation identifier for a specified range of text for preserving access to the original data when considering the combination of teachings of the references. Therefore, the Examiner maintains that the combination of Saunders and Froessl is valid and teaches or suggests all the limitations of claims 20, 21, and 23-26 and that the combination of Saunders, Maslov, and Froessl is valid and teaches or suggests all the limitations of claim 22. For at least these reasons, the Examiner maintains the rejection of claims 1-5 and 20-26 at the present time.

Regarding Applicant's argument that there is motivation to combine Saunders, Maslov, and Froessl, (see response page 9 paragraph 2), the Examiner respectfully disagrees. All three references are directed to electronic document manipulation. Therefore, one of ordinary skill in the art at the time of the invention would have known related advantages of the prior art teachings of Saunders, Maslov, and Froessl.